

REMARKS

Claims 1-4 and 6-10 are all the claims pending in the application. Claims 1-4 and 6-10 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by EP 1,237,296 A2 to Hamabe ("Hamabe"). Applicant submits the following in traversal.

Hamabe fails to teach or suggest each feature of claim 1. For example, claim 1 recites determining a share of the load which is due to the transmission over the first channels by subtracting the share of the load which is due to the transmission over the second channels from the actual load of the transmit power amplifier. The Examiner relies upon the excerpts in col. 4, lines 4-17 and col. 7, lines 15-23 as disclosing this feature.

The excerpt in col. 4, lines 4-17 of Hamabe discloses that the transmission power control device maintains the total transmission power for all channels at a constant level by adjusting the transmission power for a shared channel based on the transmission power for an individual channel. Assuming that the individual channel corresponds to a first channel and the shared channel corresponds to a second channel, Hamabe, however, does not disclose determining the transmission power for the individual channel by subtracting the transmission power for the shared channel from the total transmission power.

The excerpt in col. 7, lines 15-23 of Hamabe discloses that if the total downlink transmission power decreases below the lower limit or increases over the upper limit, the transmission power for PDSCH is respectively increased or decreased. Hamabe merely discloses adjusting transmission power for PDSCH based on the total transmission power of the downlink, and upper and lower limits. Hamabe, however, does not disclose that the transmission power of a first channel is determined by subtracting the transmission power for a second channel from the total transmission power of the downlink.

Neither the excerpts relied upon nor the rest of Hamabe teach or suggest determining a share of the load which is due to the transmission over the first channels by subtracting the share of the load which is due to the transmission over the second channels from the actual load of the transmit power amplifier, as recited in claim 1. Therefore, claim 1 is patentable at least for these reasons.

Claims 2-4 and 6-7 are patentable at least because of their dependency from claim 1. Claims 8-10 are patentable at least for reasons analogous to these submitted above for claim 1 because claims 8-10 recite features analogous to these of claim 1 that are not taught by Hamabe.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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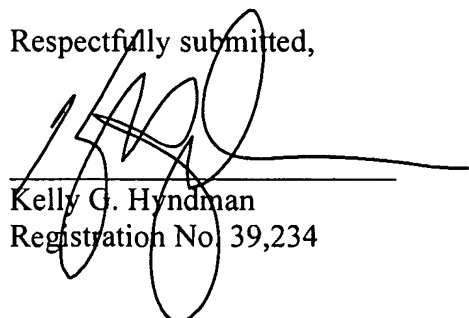
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Respectfully submitted,



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